

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

DOLPHIN COVE INN, INC.,

Plaintiff,

v.

Case No. 3:19-cv-1018-J-34JRK

THE VESSEL OLYMPIC JAVELIN,  
her engines, tackle, apparel, furniture  
and furnishings, equipment, and  
appurtenances, in rem, et al.,

Defendants.

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**ORDER**

**THIS CAUSE** is before the Court on the Report and Recommendation (Doc. 60; Report) entered by the Honorable James R. Klindt, United States Magistrate Judge, on December 22, 2020. In the Report, Judge Klindt recommends that Plaintiff Dolphin Cove Inn, Inc.'s Motion for Default Judgment Against Defendants the Vessel Olympic Javelin, Southern Marine Services, Inc. and Frederick Gatchell (Doc. 28; First Motion) be granted in part and denied in part and that Plaintiff Dolphin Cove Inn, Inc.'s Motion for Default Judgment Against Defendant Mark Tarlowski (Doc. 58; Second Motion) be granted. See Report at 31. To date, no objections to the Report have been filed, and the time for doing so has passed.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at \* 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in Judge Klindt’s Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

**ORDERED:**

1. The Report and Recommendation (Doc. 60) is **ADOPTED** as the opinion of the Court.
2. Plaintiff Dolphin Cove Inn, Inc.’s Motion for Default Judgment Against Defendants the Vessel Olympic Javelin, Southern Marine Services, Inc. and Frederick Gatchell (Doc. 28; First Motion) is **GRANTED in part and DENIED in part**.
3. Plaintiff Dolphin Cove Inn, Inc.’s Motion for Default Judgment Against Defendant Mark Tarlowski (Doc. 58; Second Motion) is **GRANTED**.

4. The First Motion and the Second Motion are **GRANTED** to the extent that the Clerk of the Court is directed to enter a joint and several judgment in favor of Plaintiff and against Defendants Southern Marine Services, Inc.; Frederick Gatchell; and Mark Tarlowski for damages in the amount of \$42,826.00 plus pre-judgment interest at a rate of 4.51%, attorney's fees in the amount of \$16,290.50; and costs in the amount of \$1,505.00.
5. The First Motion is **DENIED** to the extent it seeks the entry of default judgment against Defendant the Vessel Olympic Javelin and to the extent it seeks a maritime lien.
6. The Clerk of the Court is directed to administratively close this case.
7. Plaintiff is directed to file a notice on **April 12, 2021**, and every ninety (90) days thereafter, advising the Court of the status of its efforts to locate the Vessel.

**DONE AND ORDERED** at Jacksonville, Florida, this 13th day of January, 2021.

  
MARCIA MORALES HOWARD  
United States District Judge

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Copies to:

Counsel of Record

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